

Senate Engrossed House Bill

**FILED**

**JANICE K. BREWER  
SECRETARY OF STATE**

State of Arizona  
House of Representatives  
Forty-seventh Legislature  
Second Regular Session  
2006

**CHAPTER 191**

## **HOUSE BILL 2448**

AN ACT

AMENDING SECTION 36-2903.03, ARIZONA REVISED STATUTES; RELATING TO THE  
ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2 Section 1. Section 36-2903.03, Arizona Revised Statutes, is amended to  
3 read:  
4 36-2903.03. United States citizenship and qualified alien  
5 requirements for eligibility; report; definition  
6 A. A person who is applying for eligibility under this chapter shall  
7 provide verification of United States citizenship or documented verification  
8 of qualified alien status. BEGINNING JULY 1, 2006, AN APPLICANT WHO IS  
9 APPLYING FOR SERVICES PURSUANT TO THIS CHAPTER SHALL PROVIDE SATISFACTORY  
10 DOCUMENTARY EVIDENCE OF CITIZENSHIP OR QUALIFIED ALIEN STATUS AS REQUIRED BY  
11 THE FEDERAL DEFICIT REDUCTION ACT OF 2005 (P.L. 109-171; UNITED STATES CODE  
12 SECTION 1396b) OR ANY OTHER APPLICABLE FEDERAL LAW OR REGULATION.  
13 B. A qualified alien may apply for eligibility pursuant to section  
14 36-2901, paragraph 6, subdivision (a) and, if otherwise eligible for title  
15 XIX, may receive all services pursuant to section 36-2907 if the qualified  
16 alien meets at least one of the following requirements:  
17 1. Is designated as one of the exception groups under 8 United States  
18 Code section 1613(b).  
19 2. Has been a qualified alien for at least five years.  
20 3. Has been continuously present in the United States since August 21,  
21 1996.  
22 C. Notwithstanding any other law, persons who were residing in the  
23 United States under color of law on or before August 21, 1996, and who were  
24 receiving services under this article based on eligibility criteria  
25 established under the supplemental security income program, may apply for  
26 state funded services and, if otherwise eligible for supplemental security  
27 income-medical assistance only coverage except for United States citizenship  
28 or qualified alien requirements, may be enrolled with the system and receive  
29 all services pursuant to section 36-2907.  
30 D. A person who is a qualified alien who does not meet the  
31 requirements of subsection B of this section or who is a noncitizen who does  
32 not claim and provide verification of qualified alien status may apply for  
33 title XIX eligibility under section 36-2901, paragraph 6, subdivision (a)  
34 and, if otherwise eligible for title XIX, may receive only emergency services  
35 pursuant to section 1903(v) of the social security act.  
36 E. In determining the eligibility for all qualified aliens pursuant to  
37 this chapter, the income and resources of any person who executed an  
38 affidavit of support pursuant to section 213A of the immigration and  
39 nationality act on behalf of the qualified alien and the income and resources  
40 of the spouse, if any, of the sponsoring individual shall be counted at the  
41 time of application and for the redetermination of eligibility for the  
42 duration of the attribution period as specified in federal law.  
43 F. A person who is a qualified alien or a noncitizen and who is not  
44 eligible for title XIX may receive only emergency services.

1 G. BEGINNING OCTOBER 1, 2007, THE ADMINISTRATION SHALL SUBMIT A  
2 QUARTERLY REPORT TO THE GOVERNOR, THE PRESIDENT OF THE SENATE, THE SPEAKER OF  
3 THE HOUSE OF REPRESENTATIVES AND THE STAFF DIRECTOR OF THE JOINT LEGISLATIVE  
4 BUDGET COMMITTEE THAT INCLUDES THE FOLLOWING INFORMATION:

5 1. THE NUMBER OF INDIVIDUALS FOR WHOM THE ADMINISTRATION VERIFIED  
6 IMMIGRATION STATUS USING THE SYSTEMATIC ALIEN VERIFICATION FOR ENTITLEMENTS  
7 PROGRAM ADMINISTERED BY THE UNITED STATES CITIZENSHIP AND IMMIGRATION  
8 SERVICES.

9 2. THE NUMBER OF DOCUMENTS THAT WERE DISCOVERED TO BE FRAUDULENT BY  
10 USING THE SYSTEMATIC ALIEN VERIFICATION FOR ENTITLEMENTS PROGRAM.

11 3. A LIST OF THE TYPES OF FRAUDULENT DOCUMENTS DISCOVERED.

12 4. THE NUMBER OF CITIZENS OF THE UNITED STATES WHO WERE REFERRED BY  
13 THE ADMINISTRATION FOR PROSECUTION PURSUANT TO VIOLATIONS OF STATE OR FEDERAL  
14 LAW AND THE NUMBER OF INDIVIDUALS REFERRED BY THE ADMINISTRATION FOR  
15 PROSECUTION WHO WERE NOT CITIZENS.

16 H. THE ADMINISTRATION SHALL PROVIDE COPIES OF THE REPORT TO THE  
17 SECRETARY OF STATE AND THE DIRECTOR OF THE ARIZONA STATE LIBRARY, ARCHIVES  
18 AND PUBLIC RECORDS.

19 ~~G.~~ I. For purposes of this section, "qualified alien" means an  
20 individual who is one of the following:

21 1. Defined as a qualified alien under 8 United States Code section  
22 1641.

23 2. Defined as a qualified alien by the attorney general of the United  
24 States under the authority of Public Law 104-208, section 501.

25 3. An Indian described in 8 United States Code section 1612(b)(2)(e).

26 Sec. 2. Cash assistance eligibility verification; report

27 A. On or before November 15, 2006, the department of economic security  
28 shall submit a report on eligibility verification measures and fraud  
29 prevention to the governor, the speaker of the house of representatives and  
30 the president of the senate that includes:

31 1. An evaluation of the feasibility and the fiscal impact, including  
32 potential savings, of requiring persons who wish to receive cash assistance  
33 pursuant to title 46, chapter 2, Arizona Revised Statutes, to produce photo  
34 identification that has been issued by either the department of  
35 transportation, a federally recognized tribe or the department of economic  
36 security.

37 2. An evaluation of the feasibility and the fiscal impact, including  
38 potential savings, of using imaging technology to verify the identity of an  
39 applicant who wishes to receive cash assistance pursuant to title 41, chapter  
40 14, article 1, Arizona Revised Statutes, at the time of application, on  
41 redetermination of eligibility and when an enrollee is attempting to use cash  
42 assistance.

43 3. A list of the information that a request for qualifications to  
44 develop fraud protection and identity verification systems should include.

1           4. An evaluation of whether certain eligibility groups or programs may  
2 be required to undergo identity verification procedures and a recommendation  
3 of which groups or programs should be subject to the procedures.

4           5. A review of the identification procedures used by other states.

5           6. The methodology and processes used to develop the findings in the  
6 report.

7           B. The department of economic security shall submit a copy of the  
8 report to the secretary of state and the director of the Arizona state  
9 library, archives and public records.

10          Sec. 3. AHCCCS services; eligibility verification and fraud  
11               prevention; report

12          A. On or before November 15, 2006, the Arizona health care cost  
13 containment system administration, in consultation with the department of  
14 economic security, shall submit a report on eligibility verification measures  
15 and fraud prevention to the governor, the speaker of the house of  
16 representatives and the president of the senate that includes:

17           1. An evaluation of the feasibility and the fiscal impact, including  
18 potential savings, of requiring applicants who wish to receive services  
19 pursuant to title 36, chapter 29, Arizona Revised Statutes, to produce photo  
20 identification that has been issued by either the department of  
21 transportation, a federally recognized tribe, the department of economic  
22 security or the administration.

23           2. An evaluation of the feasibility and the fiscal impact, including  
24 potential savings, of using imaging technology to verify the identity of an  
25 applicant at the time of application, on redetermination of eligibility and  
26 when an enrollee is receiving services pursuant to title 36, chapter 29,  
27 Arizona Revised Statutes.

28           3. A list of the information that a request for qualifications to  
29 develop fraud protection and identity verification systems should include.

30           4. An evaluation of whether certain eligibility groups or programs may  
31 be required to undergo identity verification procedures and a recommendation  
32 of which groups or programs should be subject to the procedures.

33           5. A review of the identification procedures used by other states.

34           6. The methodology and processes used to develop the findings in the  
35 report.

36          B. The administration shall submit a copy of the report to the  
37 secretary of state and the director of the Arizona state library, archives  
38 and public records.

**APPROVED BY THE GOVERNOR APRIL 24, 2006.**

**FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 24, 2006.**